

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

**Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Ammon, Idaho)**

MB Docket No. 04-427
RM-11127

RECEIVED

FEB - 8 2005

To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

**Federal Communications Commission
Office of Secretary**

REPLY COMMENTS

Millcreek Broadcasting, LLC, Simmons SLC-LS, LLC, Rocky Mountain Radio Network, Inc., 3 Point Media – Coalville, LLC, and College Creek Broadcasting LLC, (together, the “Joint Parties”), by their counsel, hereby submit Reply Comments in the above-captioned proceeding.

1. On January 24, 2005, the Joint Parties submitted their Counterproposal in this proceeding that proposed a number of changes to the FM Table of Allotments which, taken together, will provide first local services to three communities, cover a 122 sq. km white area consisting of 24 persons, and result in a net gain in radio service to 3,170,493 people. The Joint Parties reiterate that if their proposal is granted, they will apply for the respective channels and construct the facilities if their respective applications are granted.

2. On January 24, 2005, Laramie Mountain Broadcasting, LLC (“LMB”) also filed a counterproposal in this proceeding, which proposed to allot Channel 283A at Dubois, Idaho. LMB certified that its proposal was in conflict with Justin Robinson’s (“Robinson”) proposal to allot Channel 283A at Ammon, Idaho, and indicated that its Dubois proposal was preferred under

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the Commission's allotment priorities.¹ However, the Commission does not need to compare LMB's proposal to Robinson's proposal because Robinson withdrew his Petition for Rule Making.

3. The attached engineering exhibit demonstrates that LMB's proposal to allot Channel 283A to Dubois conflicts with the Joint Parties' proposal to allot Channel 283C1 at Thayne, Wyoming. *See* Figure 1. However, Channel 286A can be allotted to Dubois instead and eliminate the conflict with Joint Parties' proposed allotment at Thayne. *See* Figure 2. Thus, there is no reason to allot Channel 283A at Dubois at the expense of allotting Channel 283C1 to Thayne.

4. If, for some reason, Channel 286A cannot be allotted to Dubois and the conflict between the Robinson's proposal and the Joint Parties' proposal remains, the Joint Parties' intend to submit their comparative showing in response to a future Public Notice listing the LMB proposal. Nevertheless, the following comparative information is provided. LMB's proposal would provide a first local service to Dubois, Idaho (2000 U.S. Census pop. 647). LMB has not demonstrated that service to any white or gray areas would be provided. By contrast, the Joint Parties' proposal would (i) provide a first local service to three communities totaling 42,976 people, (ii) result in a net gain in radio service to 3,170,493 people, and (iii) cover a 122 sq. km white area consisting of 24 persons. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

WHEREFORE, Joint Parties respectfully request that the Commission promptly issue the Public Notice and grant their Counterproposal.

¹ LMB, apparently relying on the *Notice of Proposed Rule Making*, believes that Robinson's proposal would provide Ammon with its first local service. However, Station KUPI(AM) is licensed to Ammon, Idaho, and therefore the *NPRM* actually proposes a second local service at Ammon.

Respectfully submitted,

MILLCREEK BROADCASTING, LLC

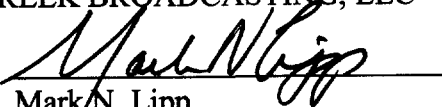
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ROCKY MOUNTAIN RADIO NETWORK, INC.

3 POINT MEDIA – COALVILLE, LLC

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February 8, 2005

FIGURE 1

**Engineering Statement
In Support of
Reply Comments**

**Channel 283A, Dubois, ID Allocation Study
(Showing conflict with channel 283C1 at Thayne, WY)**

REFERENCE		DISPLAY DATES
44 10 34 N	CLASS = A	DATA 01-25-05
112 13 48 W	Current Spacings	SEARCH 02-07-05
----- Channel 283 - 104.5 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
RADD	ADD 283A	Ammon	ID 82.77	167.0	115.0	-32.23
Of note:						
PRM that is MX with both channel 283A at Dubois, ID and channel 283C1 at Thayne, WY.						
AD283	PRO 283C1	Thayne	WY 170.69	155.6	200.0	-29.31
Of note:						
Proposed substitution at Thayne, WY						
KBZM	LIC 284C1	Big Sky	MT 137.19	26.4	133.0	4.19
KIKX	LIC 284C	Ketchum	ID 184.29	237.8	165.0	19.29

FIGURE 2

**Engineering Statement
In Support of Reply Comments
MB Docket 04-427**

**Channel 286A at Dubois, ID Allocation Study
(Using the channel 283A at Dubois, ID coordinates as reference)**

REFERENCE		DISPLAY DATES
44 10 34 N	CLASS = A	DATA 01-04-05
112 13 48 W	Current Spacings	SEARCH 01-25-05
----- Channel 286 - 105.1 MHz -----		

Call	Channel	Location	Dist	Azi	FCC	Margin
RADD	LIC 283A	Dubois	ID 0.00	0.0	31.0	-31.00
Of no concern:						
Facility proposed by Laramie County Broadcasting, LLC in another counterproposal.						
KTHK	LIC-D 288C1	Idaho Falls	ID 93.36	168.8	75.0	18.36
KADQFM	LIC 232C2	Rexburg	ID 51.32	155.6	15.0	36.32
RADD	ADD 283A	Ammon	ID 82.77	167.0	31.0	51.77
KBZM	LIC 284C1	Big Sky	MT 137.19	26.4	75.0	62.19

CERTIFICATE OF SERVICE

I, Lisa M. Holland, a secretary in the law firm of Vinson & Elkins, do hereby certify that I have on this 8th day of February, 2005, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Reply Comments**" to the following:

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